

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In re: William Hills, D.P.M.

Petition No. 971021-019-011

**CONSENT ORDER**

WHEREAS, William Hills, D.P.M. of East Hartford, Connecticut (hereinafter "respondent") has been issued license number 000085 to practice podiatry by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 375 of the Connecticut General Statutes, as amended; and,

WHEREAS, respondent admits that:

1. Between approximately 1992 and September of 1997, he obtained Hydrocodone, Vicodin ES and Diazepam for his own personal use.
2. Between approximately 1992 and September of 1997, respondent abused and/or excessively used Hydrocodone, Vicodin ES, Diazepam and alcohol.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-59.

WHEREAS, respondent, in consideration of this Consent Order has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Board of Examiners for Podiatry (hereinafter "the Board"), this Consent Order shall have the same effect as if

proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-59 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-59 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of four (4) years under the following terms and conditions:
  - a. Respondent shall participate in regularly scheduled therapy at his own expense with a licensed psychiatrist or psychologist pre-approved by the Department (hereinafter "therapist").
    - (1) Respondent shall provide a copy of this Consent Order to his therapist.
    - (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
    - (3) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in frequency of therapy sessions, and/or respondent's transfer to another therapist.
    - (4) The therapist shall submit monthly reports for the first two (2) years of probation and reports every other month for the remainder of the probationary period, which shall address, but not necessarily be limited to, respondent's ability to practice

podiatry in an alcohol and substance free state safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.

- (5) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public, or if respondent discontinues therapy and/or terminates his or her services.
- b. Respondent shall refrain from the ingestion of alcohol in any form and the ingestion, inhalation, injection or other use of any controlled substance and/or legend drug unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. In the event a medical condition arises requiring treatment utilizing controlled substances, legend drugs, or alcohol in any form, respondent shall notify the Department and, upon request, provide such written documentation of the treatment as is deemed necessary by the Department.
- (1) During the first two (2) years of the probationary period, respondent shall submit to twice weekly random observed urine screens for alcohol, controlled substances, and legend drugs, and during the remainder of the probationary period, he shall submit to such screens on a weekly basis. Respondent shall submit to such screens on a more frequent basis if requested to do so by the therapist or the Department. Said screens shall be administered by a facility approved by the Department. All such random screens shall be legally defensible in that the specimen donor and chain of custody shall be identified throughout the screening process. All laboratory reports shall state that the chain of custody procedure has been followed.

- (2) Respondent shall cause to have the facility provide monthly reports to the Department on the urine screens for alcohol, controlled substances and legend drugs. All such screens shall be negative for alcohol, controlled substances, and legend drugs, except for medications prescribed by respondent's physician. If respondent has a positive urine screen, the facility shall immediately notify the Department. All positive random drug and alcohol screens shall be confirmed by gas chromatograph/mass spectrometer testing.
  - (3) Respondent understands and agrees that if he fails to submit a urine sample when requested by his monitor, such missed screen shall be deemed a positive screen.
  - (4) Respondent shall notify each of his health care professionals of all medications prescribed for him by any and all other health care professionals.
  - (5) Respondent is hereby advised that the ingestion of poppy seeds and mouthwash has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, and mouthwash during the term of this Consent Order. In the event respondent has a positive screen for morphine, opiates and/or alcohol, respondent agrees that the ingestion of poppy seeds and/or mouthwash shall not constitute a defense to such a screen.
- c. During the entire four (4) year probationary period, respondent shall attend "anonymous" or support group meetings on an average of eight (8) times per month, and shall provide monthly reports to the Department concerning his record of attendance.

- d. During the period of probation, respondent shall report to the Department any arrest under the provisions of Connecticut General Statutes section 14-227a. Such report shall occur within fifteen (15) days of such event.
- e. Respondent shall not reapply for his federal or controlled substance registrations for the first three (3) years of the probationary period. If during the first three (3) years of the probationary period, respondent obtains approval to reapply for his state controlled substance registration from the Drug Control Division of the Department of Consumer Protection (hereinafter "Drug Control"), respondent may then request that the Department modify this Consent Order to permit him to submit such application to Drug Control. If the Department and the Board agree(s) to so modify this Consent Order, and respondent obtains said registrations, his controlled substance prescribing, ordering, and dispensing practices shall be monitored monthly by a licensed podiatrist pre-approved by the Department (hereinafter "supervisor") for a period of one (1) year, upon issuance of said registrations, as set forth below. Respondent further agrees that if the probationary period has already terminated at the time respondent obtains such registrations, the probationary period shall be extended or reinstated to ensure that the one year period of monitoring is completed. If the probationary period is extended or reinstated to comply with this provision, no other terms of probation shall be extended or reinstated. During this period of monitoring respondent shall:
  - (1) Maintain a log of all controlled substances dispensed to patients as well as all prescriptions for controlled substances, both written and authorized by phone.
  - (2) Maintain copies of all orders placed to wholesalers for controlled substances, as well as records of receipts.

- (3) Obtain, at his own expense, the services of a podiatrist, licensed and practicing in the State of Connecticut and pre-approved by the Department (hereinafter “supervisor”), to conduct monthly random reviews of fifteen percent (15%) or fifteen of respondent’s patient records, whichever is the larger number. In the event respondent has fifteen or fewer patients, the supervisor shall review all of respondent’s patient records. As part of such review, the supervisor shall review and compare respondent’s patient records, office dispensing records, controlled substance log, and controlled substance purchase and receipt records to ensure that controlled substances have been appropriately ordered and maintained. The supervisor may monitor respondent’s practice by any other reasonable means which he or she deems appropriate, and respondent shall fully cooperate with the supervisor in such additional monitoring.
- (4) Respondent shall be responsible for the supervisor providing written reports to the Department within two weeks of each monthly review. Such reports shall include: documentation of the dates and durations of meetings with respondent; the number and a general description of the patient records reviewed; a statement regarding respondent’s controlled substance purchasing, prescribing, and dispensing practices; any additional monitoring techniques utilized; and, a statement that respondent is practicing with reasonable skill and safety.

3. All correspondence and reports are to be addressed to:

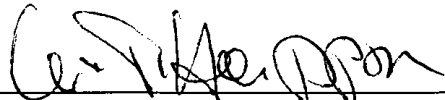
Bonnie Pinkerton, Nurse Consultant  
Department of Public Health  
Division of Health Systems Regulation  
410 Capitol Avenue, MS #12HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

4. All reports required by the terms of this Consent Order shall be due according to the following schedule:
  - a. Monthly reports shall be due on the tenth business day of each month.
  - b. Bi-monthly reports shall be due the tenth business day of every second month.
5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
  - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.

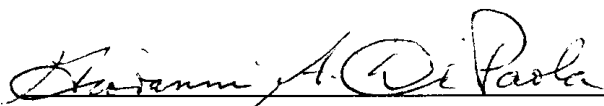
- e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a podiatrist, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation and to submit to and complete a medical, psychiatric and/or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that his failure to cooperate with the Department's investigation shall constitute an admission that his conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
  9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
  10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
  11. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.

12. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which his compliance with this Consent Order or with §20-59 of the General Statutes of Connecticut, as amended, is at issue.
13. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
14. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
15. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
16. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
17. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
18. Respondent has the right to consult with an attorney prior to signing this document.

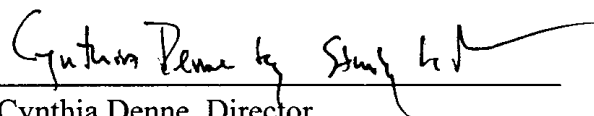
I, William Hills, D.P.M., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
William Hills, D.P.M.

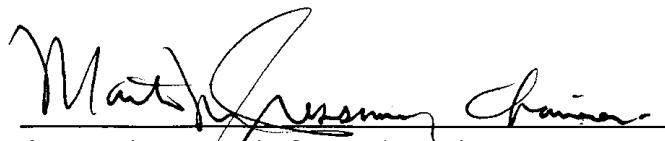
Subscribed and sworn to before me this 9th day of December, 1997.

  
Notary Public or person authorized  
by law to administer an oath or affirmation  
**GIOVANNI A. DI PAOLA**  
**NOTARY PUBLIC**  
**MY COMMISSION EXPIRES APR. 30, 1999**

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 10<sup>th</sup> day of December, 1997, it is hereby accepted.

  
Cynthia Denne, Director  
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Podiatry on the 10<sup>th</sup> day of December, 1997, it is hereby ordered and accepted.

  
Connecticut Board of Examiners for Podiatry